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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,572	06/11/2001	James D. O'Brien JR.	12128-062001	3299
26161	7590	04/18/2005	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110			LEE, CHI HO A	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/878,572

Applicant(s)

O'BRIEN ET AL.

Examiner

Andrew Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/30/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Fangman et al U.S. Patent Number 6,687,245.

Re claims 1, 19, 22, 28, 29, fig. 10 A teaches performing VOIP routing at the MGC 1004 in the network of fig. 3B, wherein the client begins RTP calls and transmit RTP packet to destination phone 1008 (carrying media in a VOIP call) and when the call set up (a call signaling) for the IP destination is remote 1012, the SG 170 performs replacing the packet header (forcing packets) with the source address of the external address of the Service Gateway (a specific IP address) and the destination address on the VPN Concentrator 1026 (managed network elements) (See col. 29, lines 5-40), wherein the selected media proxy is DHCP for client registration.

Re claims 2, 4, wherein the client's IP phone (an originating VoIP network endpoint) originate the packets.

Re claim 3, refer to 1, wherein the RTP is supported.

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Re claim 5, refer to claim 1, wherein fig. 10a teaches the NATing (forcing) the call setup signaling data relayed to the destination step 1076 (a destination VOIP network element).

Re claim 6, wherein the client (originating VOIP network endpoint) uses dynamic IP address (the selected media proxy) assigned by the DHCP.

Re claim 7, refer to claim 1, SG receives RTP and tunnels the streaming packets to the VPN concentrator (a media proxy server).

Re claims 8-10, 13, 14, 20, refer to claim 4, wherein SG support NAP whereby the IP address (DHCP assigned address) is tunneled to the VPN concentrator (a next hop) in the network, wherein the NAP hides the terminating and originating endpoint addresses.

Re claims 11-12, 21, 23-27, refer to claim 1, wherein the SG Service Gateway supports Virtual IP addresses (static virtual IP addresses), NAT addresses (other media proxies), Default Gateways (gateway) and DHCP (dynamic virtual IP addresses) (See col. 10, lines 15-68).

Re claims 15, 16, refer to claim 11, wherein the SG supports QoS for transmitting the call set-up call through the network that includes PoP, MCS (media proxy servers) (See col. 11, lines 1-55).

Re claims 17, 18, refer to claim 1, wherein SG support ICMP ping to determine the closest call media proxy server and route.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 571-272-3130. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AI
4/11/05

ANDREW LEE
PATENT EXAMINER